IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

S.B.CRIMINAL REVISION PETITION NO. 422/2007

(Chhatra Ram V/s State of Rajasthan & Anr.)

Date of Order : 27/07/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Devendra Singh Rathore, for the petitioner.
Mr. V.R.Mehta, public prosecutor for the State.
Mr. M.K.Garg for the respondents No.2.

BY THE COURT:-

By the instant criminal revision petition under Section 397 r/w 401 Cr.P.C., the petitioner has challenged the order dated 23.4.2007 passed by Additional Sessions Judge, (Fast Track), Jalore (for short 'the trial court' hereinafter).

Learned counsel for the petitioner submits that after framing of the charge, the trial court has recorded the statements of prosecution witnesses. In this view of the matter, learned counsel for the petitioner submits that the petitioner may be permitted to move an application under Section 216 Cr.P.C. for altering the charge on the basis of the material available before the trial court.

The revision petition is disposed of with the liberty to

the petitioner to move before the trial court under Section 216 Cr.P.C. and if such an application is moved by the petitioner seeking alteration of the charge, the trial court shall consider and decide the same in accordance with law on the basis of the material available before it.

(H.R.PANWAR),J.

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